

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	Criminal No. H-17-431
	§	
STEPHEN P. LYNCH	§	

GOVERNMENT'S NOTICE OF EXPERT TESTIMONY

Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), the United States provides notice that it may introduce the testimony of the following individuals at trial who may testify on matters considered to be expert testimony.

1. Juan Avalos  
Special Agent/Computer Forensics Agent  
DHS Homeland Security Investigations  
Houston, Texas

Please be advised, relative to the investigation of child pornography found on the computers and computer media seized from the Defendant's residence on June 15, 2017, SA Avalos would, in substance, testify as to the following: the process of forensically examining and searching a computer or computer media, the tests and software programs conducted and used in this case, and the results of the forensic examinations conducted, including but not limited to, the number of child pornography images/videos found, their location, file paths and creation dates, the program information contained on the computer or computer media, creation of folders and defaults, file and directory structure, and the presence of any subscriber or user identifying information located on same.

In other words, the substance of SA Avalos' expected testimony will be consistent with the conclusions summarized in his forensic report provided in discovery.

2. James Gagliardi  
Supervisory Horticulturist  
Smithsonian National Museum of Natural History  
Washington, D.C.

Mr. Gagliardi is an individual having knowledge, skill, experience, training, education, and expertise beyond the ordinary lay person regarding horticulture. The Government anticipates that he will provide testimony regarding the characteristics of landscapes. Mr. Gagliardi will testify regarding certain photographs that he was shown and based on his training and experience, the foliage and trees in the photos appeared to be from certain regions in the Southeast. Mr. Gagliardi will testify that he observed a small sabal palm in one of the photos which grows in the state of Texas.

Respectfully Submitted,

RYAN K. PATRICK  
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Government's Notice of Expert Testimony was served on Charles Flood, attorney for the Defendant, via ECF on February 28, 2018. The curriculum vitae for the above-noticed experts has been provided via email to defense counsel.

*s/ Kimberly Ann Leo*

Kimberly Ann Leo

Assistant United States Attorney